IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

PRESENT:
THE HON'BLE SRI JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO :1898 of 2007

DATED:5.2.2007.

Between:
T.Harikrishna s/o Rangaiah.

.....
PETITIONER

AND

1 The Commissioner of Police, Cyberabad at Hyderabad and others.

.....RESPONDENTS

WRIT PETITION NO:1898 OF 2007

DATED:5.2.2007.

ORDER: (Per the Honourable Smt.Justice T.Meenakumari)

This writ petition is filed by the petitioner seeking to direct the respondents to produce his wife Sushma D/o Narasimhachary, aged about 19 years before this Court and set her at liberty.

The 2nd respondent has filed a detailed counter stating that on the report given by the mother of the petitioner that the petitioner married one Sushma and they were residing by the side of her house and in the meanwhile on 20.1.2007, at about 3 P.M. the relatives of the alleged detenue kidnapped the petitioner and the alleged detenue, a case in Cr.No:82 of 2007 under section 363 IPC was registered and investigated into. While so, during the course of the investigation, on 2.2.2007, the alleged detenue along with her father visited Chowtuppal police station and the father of the alleged detenue gave a police report stating that his daughter was kidnapped by the petitioner and married by him and that his daughter escaped from the custody of the petitioner and reached home and on the basis of the said report, a case in Cr.No:34 of 2007 under section 366A IPC was registered and investigated into.

When this matter is taken up for hearing, the alleged detenue viz., Sushma along with her parents, is present

before this Court. On questioning by the Court, the alleged detenue, Sushma has submitted that her marriage with the petitioner took place under coercion and she has expressed her unwillingness to join him and apart from that, she expressed her willingness to stay with her parents.

Under the above circumstances and in view of the production of the alleged detenue before this Court, We feel that no purpose would be served by keeping the writ petition pending.

Accordingly, this writ petition is dismissed. No costs. However, it is made clear that this order does not amount to any adjudication as to the legality or otherwise of the marriage between the petitioner and the alleged detenue.

(JUSTICE T.MEENAKUMARI)

5th FEBRUARY, 2007

(JUSTICE G.CHANDRAIAH)

gurc/nn

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO :1898 of 2007
(Order delivered by the Honourable Smt.Justice T.Meena Kumari)

5th FEBRUARY, 2007.